

CHAPTER 141.

An act to amend the charter of the town of Davidson College.

The General Assembly of North Carolina do enact :

Chapter 32, laws
1879, amended.

Streets.

Condemnation of
land.

SECTION 1. That an act entitled "An act to incorporate the town of Davidson College, in the county of Mecklenburg," ratified eleventh February, eighteen hundred and seventy-nine, chapter thirty-two, acts of eighteen hundred and seventy-nine, be and the same is hereby amended, by adding to the fifth section thereof the following: And the said commissioners shall be and are hereby invested with full power to lay out and open new streets and to widen those already open as in their judgment the public convenience may require. When any land or right of way shall be required for the purpose of opening and laying out new streets or widening those already open and the land owner or owners and said commissioners cannot agree upon the price which the land owner or owners will take and convey said land to the town, the same may be taken at a valuation to be made by three freeholders of the said town, to be chosen as follows: The commissioners shall select one and the owner or owners of the land one within three days after notice in writing to the land owner or owners from the commissioners of their selection, and the two freeholders thus selected shall select the third man, and these persons thus selected shall assess the damages, if there be any, within five days after the notice from the commissioners to the land owner or owners above mentioned. And if the owner or owners of the land fails to select a man within three days as aforesaid then the commissioners shall select two men, and the two thus selected shall select the third, and the three thus selected shall assess the damages to the land within the time aforesaid. The said freeholders when so chosen shall be first duly sworn by the mayor or a justice of the peace and shall view the premises or land to be condemned, and in making valuation shall take into consideration any benefit or advantage such owner or owners may receive from the opening or widening of such streets, and shall ascertain and report to the commissioners in writing, under their hands and seals, what amount or sum shall be paid to the land owner or owners, which report, on being confirmed and spread upon the minutes of the said town, shall have the force and effect of a judgment in favor of said land owner or owners against said town and shall pass the title of said land to the said town of Davidson College: *Provided, however,* that said commissioners shall not have power to condemn any land belonging to Davidson college without first obtaining the consent of the executive committee of the said college.

Proviso.

SEC. 2. This act shall be in force from and after the first day of May, eighteen hundred and eighty-seven.

In the general assembly read three times, and ratified this the 7th day of March, A. D. 1887.